

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 03-6078

KARIM ABDUL AKBAR,

Plaintiff - Appellant,

versus

BOYD BENNETT, Director of North Carolina Prisons; HENRY V. BARNETT, Wake County Superior Court Judge; KARL NUDSEN, District Attorney; WAKE COUNTY COURT APPOINTED ATTORNEY, "My Court Appointed Attorney"; APPELLATE DEFENDER, Wake County Appellate Defender; NORTH CAROLINA PAROLE COMMISSION, Division of North Carolina Prison Grievance Commission; NORTH CAROLINA COURT OF APPEALS; NC SUPREME COURT,

Defendants - Appellees.

Appeal from the United States District Court for the Eastern District of North Carolina, at Raleigh. Terrence W. Boyle, Chief District Judge. (CA-02-696-BO)

Submitted: March 6, 2003

Decided: March 17, 2003

Before WILKINSON, MICHAEL, and KING, Circuit Judges.

Affirmed as modified by unpublished per curiam opinion.

Karim Abdul Akbar, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.
See Local Rule 36(c).

PER CURIAM:

Karim Abdul Akbar appeals the district court's orders dismissing as frivolous his 42 U.S.C. § 1983 (2000) complaint and denying reconsideration of that order. We have reviewed the record and the district court's opinion and find no reversible error. However, Akbar's claims may be cognizable in a petition for writ of habeas corpus, after satisfying the exhaustion requirement. We do not comment on the merits of such an action. Accordingly, we affirm on the reasoning of the district court with the modification that the dismissal is without prejudice. See Akbar v. Bennett, No. CA-02-696-BO (E.D.N.C. Oct. 23, 2002 & filed Nov. 19, 2002; entered Nov. 20, 2002). We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

AFFIRMED AS MODIFIED